

ASSEMBLY BILL

No. 1406

Introduced by Assembly Member Emmerson

February 27, 2009

An act to amend Section 31551 of the Government Code, relating to county employees' retirement.

LEGISLATIVE COUNSEL'S DIGEST

AB 1406, as introduced, Emmerson. County employees' retirement: membership.

The County Employees Retirement Law of 1937 provides a comprehensive set of rights and benefits for county and district employees who are members of a retirement system subject to that law. Those counties are required to organize a retirement association, and county officers and employees are members of that association, unless expressly excluded from membership. Existing law provides that persons employed as participants in a program of, and whose wages are paid in whole or in part by federal funds in accordance with, a specified federal law, are excluded from membership.

This bill would replace the reference to that obsolete federal law with a reference to the current federal law.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 31551 of the Government Code is
2 amended to read:

1 31551. ~~The persons~~ (a) *A person* expressly declared to be
2 ineligible to membership by this article shall not become ~~members~~
3 *a member* of the retirement association, and, except as expressly
4 excluded, ~~the persons~~ *a person* enumerated in this article shall
5 become ~~members~~ *a member* of the association.

6 **Persons**

7 (b) *A person* employed as ~~participants~~ *a participant* in a program
8 of, and whose wages are paid in whole or in part by federal funds
9 in accordance with, the ~~Comprehensive Employment and Training~~
10 ~~Act of 1973 (Public Law 93-203) Workforce Investment Act of~~
11 ~~1998 (Public Law 105-220)~~, as amended, ~~are or any of its~~
12 ~~predecessors~~, is excluded from membership. This exclusion shall
13 not apply to active fire suppression personnel who are safety
14 members pursuant to Sections 31469.3 and 31470.4.